

**Insight**  
**Independence!**  
**A telltale story**  
**of July 1776**

**John Adams' letters recall hectic times**

By Israel Shenker  
N. Y. Times Service

NEW YORK — John Adams was an extraordinary correspondent. But on July 3, 1776 — just one day after Congress voted independence from England — he was extraordinary to a fault. The events of the previous day had been so momentous that one letter to his wife could not contain his emotions — so he wrote her two. One of them declared:

"The second day of July 1776 will be the most memorable epoch in the history of America. I am apt to believe that it will be celebrated by succeeding generations as the great anniversary festival. It ought to be commemorated as the day of deliverance by solemn acts of devotion to God Almighty. It ought to be solemnized with pomp and parade, with shows, games, sports, guns, bells, bonfires and illuminations from one end of this continent to the other from this time forward forevermore."

John Adams may have been a "Colossus" — Thomas Jefferson called him that. He may have been "the Atlas of American independence" — Richard Stockton, a New Jersey delegate to the Continental Congress, hailed him thus. But let it be whispered from the house-tops, Adams' prediction was slightly off the mark.

For even though July 2 was the day Congress, voted for independence — for that new nation conceived in bondage and finally dedicated to liberty — July 4 has become tradition, the day solemnized, and also trivialized, from the continent's end to end

"I can see the rays of ravishing light and glory," Adams wrote his wife Abigail. "I can see that the end is means."

The colony of Virginia had proposed independence, and a Virginian was the first named — on June 12th — to the committee of five selected by Congress to draft a declaration of independence: Jefferson, Adams, Franklin, Robert R. Livingston and Roger Sherman.

Adams later recalled how the committee began its work, with Jefferson suggesting that Adams draft the document.

"Oh no."  
"Why will you not? You ought to do it."

"I will not."  
"Why?"  
"Reasons enough."

"What can be your reasons?"  
"Reason first — You are a Virginian, and a Virginian ought to appear at the head of this business. Reason second — I am obnoxious, suspected and

(See JEFFERSON'S, Page 16)

# Columbia Missourian

68th Year — No. 240

Good Morning! It's Saturday, July 3, 1976

16 Pages — 15 Cents

## Court upholds death penalty

N. Y. Times Service

WASHINGTON — In a somber and dramatic session, the Supreme Court ruled by a vote of 7 to 2 Friday that the death penalty is not inherently cruel or unusual.

The court found that it is a constitutionally acceptable form of punishment, at least for murder.

In 1972, the court found by a 5-to-4 vote that the arbitrary and "freakish" way in which some defendants were sentenced to die and others were allowed to live made the penalty unconstitutional.

Friday, however, reviewing five of the state statutes that were passed in response to the 1972 ruling in attempts to meet the court's objections, the court said that judges and juries may impose the penalty so long as they have been given adequate information and guidance for determining whether the sentence is appropriate in a particular case.

Statutes that provide for this information and guidance — requiring judges and juries to take account of mitigating as well as aggravating circumstances, for instance — are

permissible under the 1972 ruling, the court found.

It also ruled by a vote of 5 to 4 that states may not impose broad "mandatory" capital punishment laws requiring the death penalty for every defendant convicted of murder. But its 7-to-2 judgment on the issue of the penalty's inherent constitutionality, and the various opinions of the seven justices who joined in that judgment, make clear that statutes that come close to being mandatory will be permissible.

The court upheld three of the state statutes before it Friday — those of

Georgia, Florida and Texas — and struck down two, Louisiana's and North Carolina's. The Louisiana and North Carolina laws impose blanket mandatory rules. Texas' statute, however, also had a form of mandatory law under which jurors were required to impose the penalty if they made certain findings.

After the 1972 ruling, 35 states and the federal government imposed various kinds of death penalty legislation. The high court of Illinois subsequently struck down its state's law. Approximately 600 persons are on Death Row as a result of those laws.

Friday's ruling may invalidate slightly more than half of the statutes and, in so doing, save some 300 persons from execution. However, it opens the way for every state to have a statute that is acceptable to the Supreme Court, simply by modifying or revising its law to approximate one of the three specifically upheld Friday.

Capital punishment has been the source of a bitter and emotional dispute for years, on legal grounds as well as for philosophical and religious reasons.

Prosecutors have traditionally demanded it, saying it is necessary as a (See LEGAL, Page 14)

## Decision casts doubt on state death rule

JEFFERSON CITY (AP) — The U.S. Supreme Court decision upholding the death penalty in general but striking down laws in two states has raised some question about the validity of Missouri's law.

But Preston Dean, an assistant state attorney general, said the Missouri death penalty measure will remain law until it is specifically tested in court.

"The law in Missouri is on the books and it is our position that it will remain on the books until someone can prove to some court that it is unconstitutional," Dean said.

The court struck down a North Carolina law that required death upon conviction of "willful, deliberate and premeditated" murder.

The Missouri statute uses similar language in describing capital murder, but it also includes a provision that in a capital murder case, juries must also consider the possibility of guilt for

lesser crimes of first- and second-degree murder and manslaughter.

"It gives the jury the right to choose among alternatives, which is what I think the Supreme Court wanted," said state Sen. Ike Skelton, D-Lexington. Skelton spearheaded the drive for re-enactment of a death penalty following the Supreme Court's 1972 decision invalidating all death penalties.

But Joyce Armstrong, executive director of the American Civil Liberties Union in St. Louis and an opponent of the death penalty, said she believed "the Missouri law will be struck down" because of the lack of discretion.

Mrs. Armstrong also said that the legislature, which overwhelmingly adopted the death penalty just a year ago, will have to amend the law.

Reaction to the ruling that the death penalty in general is valid was favorable from most state officials.

## Bus bids could save city schools money

By Carol Lynn Zuber  
Missourian staff writer

A private bus company Friday offered Columbia school officials the possibility of saving \$55,000 to \$160,000 on this fall's school transportation budget.

Bids were opened from two bus companies seeking to take on the transportation of students now done by the school system's own buses.

To meet rising costs and provide a five per cent base salary increase for

teachers, the school board had hoped to cut \$100,000 from last year's \$616,000 transportation budget.

School Superintendent Robert Shaw, said both sets of bids will have to be studied by school transportation officials and the school attorney before a recommendation can be made at the July 12 school board meeting.

Shaw said he was pleased with the bids because the low bid was within the range the board had anticipated. "The objective was to save \$100,000 and there were several bids that would do it,"

Shaw said.

The board is obligated by state law to provide free transportation to students living farther than 3½ miles (5.6 kilometers) from school. During the last school year the board bused elementary students living one mile (1.6 kilometers) from school and secondary students living two miles (3.2 kilometers).

R. W. Harmon and Sons of Kansas City, bid \$530,863.17 to provide that same service for the next school year. The other bidder, American Transit

Company of St. Louis, bid \$711,000.

The administrators had several questions about the Harmon company's bids which the company must answer before a decision can be made.

Harmon bid \$424,485.26 to bus elementary students living two miles (3.2 kilometers) from school and secondary students living 3½ miles (5.6 kilometers) from school. The American Transit Company bid \$634,000 to provide this service.

Students living closer to school than the ruleage limits the board decides on

could contract privately with the company for bus service. American Transit said the cost per month for a child to ride the bus would be \$20.66, Harmon bid \$10 to \$12.50.

Spokesmen for both companies said the companies would buy the school system's buses or take over the leases on the buses. The school system would buy the gasoline.

A Harmon company spokesman said the company has busing contracts in 10

(See BIDS, Page 16)

## Bell rededication opens Bicentennial celebration

By Don Holmes  
Missourian staff writer

Bicentennial celebrations began in Columbia Friday with the rededication of the Boone County Courthouse bell and ceremonies honoring Columbia College as an official Bicentennial campus.

Highlighting the festivities Sunday will be an address by Gov. Christopher S. Bond and a fireworks display.

In Friday's activities, about 30 persons gathered in front of the courthouse at noon to watch the County Court judges ring the old bell. The bell recently was moved from its neglected corner in the cupola of the courthouse to the walkway in front of the building.

Presiding Judge Bob Brown read a County Court proclamation from March 18, 1918, when the court accepted the old bell as a gift from one of the former judges. The bell had hung in the former courthouse, whose columns still stand at the corner of Eighth and Walnut streets. When the county sold the old courthouse to one of the County Court judges to relocate in the present building in 1918, the bell was donated to

the county.

Southern District Judge Carolyn Lathrop read a current proclamation rededicating the bell and proclaiming that it will now be known as the Boone County Liberty Bell, as a reminder "of the bravery of our forefathers."

Presiding at the ceremonies was William F. Berry, chairman of the Boone County Bicentennial Commission. After the proclamation readings, Berry directed all three judges to ring the bell in honor of America's 200th birthday.

Earlier Friday morning, Columbia College was honored with an official Bicentennial flag and a certificate naming the college as an official Bicentennial campus.

Marilyn Henderson Robbins of the state's American Revolution Bicentennial Commission presented the items to the school. W. Merle Hill, president of Columbia College, accepted the gifts on the steps of St. Clair Hall.

More Bicentennial activities are scheduled through the weekend in Columbia. A Bicentennial parade will begin at 10 a.m. today. It will feature

floats, musical groups, fire trucks, horses, decorated bicycles and clowns. The parade will begin at Stephens College and proceed along Broadway to the Safeway store near Garth Avenue.

The parade's grand marshal, Mayor Bob Pugh, will be accompanied by a revolutionary war color guard, complete with life and drum.

The parade is sponsored by the Optimist Clubs of Columbia.

Also beginning at 10 a.m. today is a craft sale and demonstration at the Columbia Cosmopolitan Recreation Area, continuing until 6 p.m. The sale is planned by the Older Americans Club and the Paquin Tower Senior Citizens Club.

At 3 p.m., a ribbon-cutting ceremony and open house is scheduled at Maplewood in Nifong Park. Maplewood was restored as a Bicentennial project.

On Sunday, special Bicentennial church services are planned at Stephens College Assembly Hall and in Rocheport. Bishop William R. Cannon of the United Methodist Church in Atlanta, Ga., will speak at the community interfaith service at 11 a.m. (See BOND, Page 16)



Old but not forgotten, the Boone County Courthouse bell was rededicated Friday at a mid-day ceremony. County Court Judges Rodney Smith, left, Carolyn Lathrop and Bob

Brown combined their strength to ring the large bell at the end of the dedication ceremony. (Missourian photo by Ann Yow)

## Korshak business habits make prosecution difficult

By Seymour M. Hersh  
N. Y. Times Service

NEW YORK — Sidney R. Korshak's business habits have made prosecution difficult. Government investigators and associates say he does not keep records, notes, time-charges, files or a diary. He apparently prefers to leave the details of his affairs unrecorded.

Such business habits and Korshak's lavish personal life-style combined to impede the most intensive federal inquiry into his affairs — an investigation that involved four

government agencies in 1969 and 1970.

A major part of the inquiry was handled by the Internal Revenue Service, which assigned six special agents to analyze Korshak's income tax returns for possible violations.

Their 18-month study encountered a number of obstacles, according to some sources with first-hand knowledge of the case. Most of the difficulties were attributable to Korshak's expensive life-style.

He lived graciously and traveled extensively, with homes and offices throughout the country. Most of his day-

to-day bills were paid in cash.

A further complication was the sheer size of Korshak's income and his tax payments. From 1963 to 1969, for example, he reported a taxable income of \$4.5 million and paid taxes of \$2.9 million.

His income was so large that the agents found it impossible to determine whether Korshak was living beyond his means — one of the basic indicators of income tax evasion. In addition, the complexity of Korshak's return was such that the agents could not learn whether his reported income included

money from illegal sources.

The silence of his clients also added to the government's problems.

The IRS agents approached as many as 50 of Korshak's corporate clients, sources close to the case said, in an effort to determine just what services he had performed in return for his retainers, which sometimes reached \$50,000 a year. With few exceptions, the corporations refused to discuss the nature of Korshak's work other than to say that he had been paid for "professional services." The agents found the pervasive resistance to their

inquiries unusual and suspicious, government sources said.

The IRS did uncover a pattern of payment in which Korshak accepted stock options in lieu of cash for his services. If the options were exercised after the stock had risen in price, Korshak would realize a long-term capital gain. Such gains are taxed at much lower rates than normal income for those in high tax brackets.

Stock options are a legal and appropriate form of payment if reported, but the agents found at least one case in 1967 involving a \$65,000 gain

that allegedly was not fully reported.

As a result of the civil case that followed, Korshak was formally accused in 1972 of fraud and the underpayment of taxes by more than \$924,000, including nearly \$250,000 in penalties. The case was settled two years later, on the eve of a Tax Court trial, for \$179,244, roughly 20 cents on the dollar. All fraud charges were dropped.

At the height of that investigation, in 1970, a special federal unit known as Strike Force 18 was set up under Robert (See LAWYER, Page 16)